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COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

Tentative Notice of Action

MEETING DATE December 19, 2014 LOCAL EFFECTIVE DATE January 2, 2015 APPROX FINAL EFFECTIVE DATE January 23, 2015	CONTACT/PHONE Schani Siong, Project Planner (805) 781-4374 ssiong@co.slo.ca.us	APPLICANT Marshall Lewis	FILE NO. DRC2013-00083
SUBJECT Continued hearing to consider a request by MARSHALL LEWIS for a Minor Use Permit/Coastal Development Permit to allow a 196 square-foot master bathroom and 42 square-foot living space addition to an existing single family residence. This revised project will result in the disturbance of approximately 300 square feet on a 21,649 square-foot parcel in the Residential Multi Family land use category. The proposed project is located at 709 Lucerne Road, approximately 100 feet south of North Ocean Avenue, in the community of Cayucos. The site is located in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/ Coastal Development Permit DRC2013-00083 based on the findings listed in revised Exhibit A and the revised conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 1 Categorical Exemption (Sections 15301) was issued on September 18, 2014 (ED14-081)			
LAND USE CATEGORY Residential Multi Family	COMBINING DESIGNATION Local Coastal Plan, Geologic Study Area, Archaeological Sensitive, Flood Hazard	ASSESSOR PARCEL NUMBER 064-281-009	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: Coastal Access and Recreation, Shoreline Development, Resource Capacity and Service Availability, and Height Limitation. <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Archaeologically Sensitive Area, Geologic Study Area, Flood Hazard, Local Coastal Program <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

EXISTING USES: Single family residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Multi Family/undeveloped <i>East:</i> Residential Multi Family/residences <i>South:</i> Recreation/Pacific Ocean <i>West:</i> Residential Multi Family/ residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cayucos Community Advisory Council, Public Works, Building Division, Cayucos Fire, Cayucos Sanitary District, Paso Robles Beach Water Association, and the California Coastal Commission.	
TOPOGRAPHY: Nearly level and steep coastal bluff	VEGETATION: Ornamental landscaping, ice plant, cypress trees
PROPOSED SERVICES: Water supply: Paso Robles Beach Water Association Sewage Disposal: Cayucos Sanitary District Fire Protection: Cayucos Fire	ACCEPTANCE DATE: September 4, 2014

DISCUSSION

This Minor Use Permit (DRC2013-00083) for a 196 square-foot master bathroom to an existing 2,810 square-foot single family residence was originally scheduled for a Planning Department Hearing on Oct 17, 2014 and was continued to December 19, 2014 as a revised project. The purpose of the revision is to incorporate a 42 square-foot addition to the existing living room, which was allowed through the 'After Issuance Change Order' process within the Building Permit Department (PMT2013-00527). This building permit covers the existing residence remodel that is currently underway. The minor living space addition is considered new development in the coastal appealable area and therefore requires minor use permit approval. Work on the 42 square-foot addition has been halted pending approval under this minor use permit.

The project site is a bluff top parcel at 709 Lucerne Road at the northern edge of the community of Cayucos. Currently, the project site includes the existing residence, a historical water tower, two storage sheds, and is fronted by a row of prominent Cypress trees along Lucerne Road. The proposed addition is located at the eastern side of the residence, and would measure 13'-5" by 13'-5", with a roof height of 13'-10 1/8", matching the existing main roof. There is no removal of existing trees or other substantial vegetation proposed as part of the project.

The project site is a unique parcel and subject to several development constraints, primarily related to scenic and visual resource protection (including coastal view sheds from Highway 1). The oceanfront site is triangular in shape and is relatively flat with a steep bluff face (approximate 35 feet high). The bathroom addition is proposed on a sensitive site in terms of community character and highway corridor aesthetics. The project is visible from Highway 1, an Officially Designated State Scenic Highway and National Scenic Byway, and local roads like Lucerne Road and North Ocean Avenue. Lucerne Road provides the closest, most direct coastal views across the project site. North Ocean Avenue parallels Lucerne Road, and is elevated approximately 10 feet above the project site. This avenue is regarded as the northern gateway to downtown Cayucos. The living space addition is not visible from these public roads and does not impair coastal views across the project site.

Due to the sensitive visual character of the project site, a Visual Assessment was conducted to determine the level of impact the proposed bathroom addition and subsequent relocation of

existing storage sheds. The report concluded the addition would not result in a substantial adverse effect on the visual environmental or coastal visual resources. However, secondary changes to the site may occur by relocating two existing sheds further east of the residence. These secondary adverse effects can be reduced by locating the sheds as close to the bathroom addition as possible, realigning one shed directly behind the other as seen from Lucerne Avenue, and painting both to match the main residence's exterior color (*Visual Assessment of the Lewis Residence Addition, Robert G. Carr, SWCA Environmental Consulting, August 2014*). The applicant has agreed to incorporate the visual impact mitigation measures into the proposed project.

PLANNING AREA STANDARDS:

Estero Areawide Standards

- E. Coastal Access and Recreation.** Opportunities for public access to and along the coast shall be maximized as follows:

1. New development shall be required to provide public access and improvements to and along the coast, and shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization.

Staff comments: The project is consistent with this standard. Vertical access exists north and south of the site at Estero Bluffs State Park and the Cayucos Pier. The parcel extends to the bluff and the beach is not accessible because of a 35-foot high cliff. Lateral access will be required (per Section 23.04.420) as a condition of approval.

- G. Cayucos Planning Impact Area.** Within the planning impact area shown in Figure 7-5, applications for land divisions, general plan amendments, Minor Use Permits, and Development Plans shall be referred to the Cayucos Citizen Advisory Council or its successor for review and comment.

Staff comments: The original project (bathroom addition only) was referred to the Cayucos Citizen Advisory Council and the committee supported the project on May 8, 2014. The revised project (bathroom and living space addition) will be presented to the Council on December 3, 2014. Staff will update the Planning Department Hearing Officer at the hearing if the advisory council has any concerns.

- I. Shoreline Development.** New development or expansion of existing uses proposed to be located on or adjacent to a beach or coastal bluff is subject to the following standards:

3. Application Content:

a. An analysis of beach erosion, wave run-up, inundation and flood hazards prepared by a licensed civil engineer with expertise in coastal engineering and a slope stability analysis, prepared by a licensed Certified Engineering Geologist and/or Geotechnical Engineer or Registered Civil Engineer with expertise in soils, in accordance with the procedures detailed by Appendix G of the Estero Area Plan. The report shall include an alternatives analysis to avoid or minimize impacts to public access.

Staff comments: A Geologic Report (Geosolutions, Inc., August 2009) was prepared and reviewed by the County Geologist and found that the site is geologically suitable for the proposed development.

b. On lots with a legally established shoreline protective device, the analysis shall describe the condition of the existing seawall; identify any impacts it may be having on public access and recreation, scenic views, sand supplies, and other coastal resources; and evaluate opportunities to modify or replace the existing armoring device in a manner that would eliminate or reduce these impacts. The analysis shall also evaluate whether the development, as proposed or modified, could be safely established on the property for a one hundred year period without a shoreline protective device.

Staff comment: The site does not have a shoreline protective device.

c. Measurements for the form, mass, scale, and roofing and yard features (such as fencing). To the maximum extent feasible, new development shall be compatible with the character of the surrounding neighborhood.

Staff comments: The existing neighborhood consists of large single family dwellings and multi-family housing developments, with no uniform architectural character. The project consists of minor additions to an existing residence, with matching roof height, colors and materials. The living space addition is located at the rear of the residence with no visibility from Lucerne Road. The bathroom addition is proposed east of the existing residence, where two existing storage sheds are currently located. The storage sheds will be relocated further east of the new bathroom and painted to match the residence. The bathroom addition will add 13.5 feet to the width of the existing 79 foot wide residence. The proposed bathroom will increase the linear mass at the site (including the historic water tower from 40 percent to 45). The parcel will retain 55 percent of the site open as seen from Lucerne Road. In addition, the most significant character defining features of the property; the existing water tank and the cypress trees would not be affected by the project (Lewis Visual Assessment, Robert G. Carr with SWCA Environmental Consulting, August 2014). Overall, the proposed additions to the existing residence will be consistent with the character of the neighborhood.

d. Surveyed location of all property lines and the mean high tide line by a licensed surveyor along with written evidence of full consent of any underlying land owner, including, but not limited to the County, State Parks, and State Lands. If application materials indicate that development may impact or encroach on tidelands or public trust lands, the County shall consult with Coastal Commission staff regarding the potential need for a Coastal Development Permit from the Coastal Commission.

Staff comment: The project will not impact the County, State Parks, or State Lands.

e. A preliminary drainage, erosion, and sedimentation plan which demonstrates that no stockpiling of dirt or construction materials will occur on the beach; erosion, runoff, and sedimentation measures to be implemented at the end of each day's work; all construction debris will be removed from the beach daily and at the completion of

development; and no machinery will be allowed in the intertidal zone. If there is no feasible way to keep machinery out of the intertidal zone, authorization from the Coastal Commission is required.

Staff comment: The project is conditioned to meet this requirement.

4. Bluff Setbacks.

The bluff setback is to be determined by the engineering geology analysis required in I 3.a. above adequate to withstand bluff erosion and wave action for a period of 100 years. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing development that is non-conforming with respect to bluff setbacks that equals or exceeds 50 percent of the size of the existing structure, on a cumulative basis beginning July 10, 2008, shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.

Staff comments: The proposed project complies with this standard. In 2009, a previous development was proposed for the subject site and a geological report (Geo Solutions August 14, 2009 and January 15, 2010), and a geotechnical investigation (Mid Coast Geotechnical July 30, 2009) was prepared for the project. The geologic report determined the bluff setbacks to be 40 feet (on the western side) and 30 feet (on the eastern side). The existing residence is within the western bluff setback, and considered non-conforming with respect to the bluff setback. The proposed additions are less than 50 percent of the existing residence (196 square foot bathroom and 42 square foot living space additions to a 2,810 square foot residence), located outside of the required bluff setback, and are therefore consistent with this standard.

5. Seawall Prohibition.

Shoreline and bluff protection structures shall not be permitted to protect new development. All permits for development on bluff top or shoreline lots that do not have a legally established shoreline protection structure shall be conditioned to require that prior to issuance of any grading or construction permits, the property owner record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development, and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235 and the San Luis Obispo County certified LCP.

Staff comments: The proposed project consists of minor additions to the existing residence. The living space addition does not extend the existing residence closer to the bluff edge and is outside the bluff setback. The proposed bathroom is approximately 10 feet from Lucerne Road, approximately 30 feet from the bluff edge and outside the bluff setback. The additions are located at the most geologically stable portion of the parcel and given the scale of the new additions to the existing residence, a seawall or bluff

protection structures prohibition is not required. Any additional new development on this parcel will be subject to this condition.

6. Liability.

As a condition of approval of development on a beach or shoreline which is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, the property owner shall be required to execute and record a deed restriction which acknowledges and assumes these risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.

Staff comment: The project is conditioned to meet this requirement

Cayucos Urban Area Standards

Communitywide

A. Resource Capacity and Service Availability. Application for new land divisions and land use permits for new development shall be accompanied by letters from the applicable water purveyor and the Cayucos Sanitary District stating their intent to serve the proposed project. *Staff comment: This project complies with this standard because the applicant submitted intent-to-serve letters from the Paso Robles Beach Water Association, dated December 2, 2013, and the Cayucos Sanitary District, dated December 3, 2013.*

F. Setbacks. The required setbacks for the residence are as follows: front – 25 feet, sides – 5 feet, and rear – 10 feet. *Staff comments: This project complies with the setbacks.*

Residential Multi-Family

C. Height Limitations. On the Locarno Tract as shown on Figure 7-17 and 7-27: a maximum of 20 feet. *Staff comment: The proposed bathroom addition is 13' 10 1/8" high and the living space addition matches the existing residence roof height. This project complies with this standard.*

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.07.060 - Flood Hazard

Drainage plan approval is required where any portion of the proposed site is located within the flood hazard combining designation.

Staff comments: For a previously proposed development on the subject parcel, it has been determined that the Flood Hazard designation in this part of Cayucos is inaccurate (according to Tim Tomlinson with the Department of Public Works). Before the construction of Highway 1, a creek flowed into this part of Cayucos. When the Highway was constructed the creek was diverted. The closest creek from the proposed development is an unnamed creek 1000 feet to the north (north of Highway 1), and Cayucos creek is approximately 2,000 feet to the south. Although the site is within the 100-year Flood Hazard designation, the applicant successfully

amended the FEMA maps, to remove the site from the FEMA maps (since the site has not been subject to flooding, historically).

Section 23.07.080 – Geologic Study Area

All land use permit applications for projects located within a Geologic Study Area (except those exempted by Section 23.07.082) shall be accompanied by a report prepared by a certified engineering geologist and/or registered civil engineer (as to soils engineering), as appropriate.

Staff comments: The proposed project complies with this standard. For a previously proposed development on the subject site, a geological report was prepared (Geo Solutions, August 14, 2009 and January 15, 2010), and a geotechnical investigation (Mid Coast Geotechnical, July 30, 2009) was conducted for the project). The geologic report determined the bluff setbacks to be 40 feet (on the western side) and 30 feet (on the eastern side). The County geologist, Brian Papurello reviewed the submitted geological reports and finds the proposed bathroom addition (located outside the 30 foot eastern bluff setback) is in conformance with the approved coastal bluff setback as depicted in the reports (Brian Papurello, Landset Engineers, Inc., May 30, 2014).

Section 23.07.104(b): Archaeologically Sensitive Areas

The project site is located within a mapped Archaeologically Sensitive Area, but is exempted from requiring an archeological survey due to the small addition area within an already developed area.

Staff comments: For a previously proposed development on the subject site (DRC2009-00020), a Cultural and Historic Resources Report was conducted (Cogstone, March 2010) for the site. No evidence of cultural materials was noted on the property. The water tank house was determined to be a significant historic resource due to its association with James Cass. James Cass is considered the founder of Cayucos. Cass established the pier, a home, and a warehouse (now the Veterans Hall). In July 1870, James Cass and his partners acquired a 1.55-acre tract on the bluff (this included the subject parcel). The water tank is located at the western side of the residence. The proposed additions are at the eastern side of the residence, and will not impact the water tank.

Section 23.07.120: Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

COASTAL PLAN POLICIES:

Following is a brief list of the Coastal Plan Policies (discussion of specific applicable policies following):

Shoreline Access: ☒ Policy No(s): 2
Recreation and Visitor Serving: N/A
Energy and Industrial Development: N/A
Commercial Fishing, Recreational Boating and Port Facilities: N/A

Environmentally Sensitive Habitats: N/A

Agriculture: N/A

Public Works: ☒

Policy No(s): 1

Coastal Watersheds: ☒

Policy No(s): 7, 8 and 9

Visual and Scenic Resources: ☒

Policy No(s): 1, 2, 5, 7, and 11

Hazards: ☒

Policy No(s): 1, 2 and 6

Archeology: ☒

Policy No(s): 1

Air Quality: N/A

Shoreline Access

Policy 2: New Development: Maximum public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development. Exceptions may occur where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (2) adequate access exists nearby, or; (3) agriculture would be adversely affected. Such access can be lateral and/or vertical.

Staff comments: There is adequate vertical access near the project site. The project is conditioned to provide a lateral access.

Public Works

Policy 1: Availability of Service Capacity. New development shall demonstrate that adequate public or private service capacities are available to serve the proposed development.

Staff comments: The project complies with this policy. The applicant has demonstrated that adequate public service capacities are available to serve the proposed project because services already exist for the existing residence and will-serve letters are required.

Coastal Watersheds

Policy 7: Siting of new development: Grading for the purpose of creating a site for a structure or other development shall be limited to slopes of less than 20 percent except (the rest of this section is not applicable).

Staff comments: The project is consistent with this policy because the proposed additions will be located on an existing lot of record in the Residential Multi Family category on a slope less than 20 percent.

Policy 8: Timing of Construction and Grading. Land clearing and grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. All slope and erosion control measures should be in place before the start of the rainy season. Soil exposure should be kept to the smallest area and the shortest feasible period.

Staff comments: The project is consistent with this policy because it's conditioned to require an erosion and sedimentation control plan when grading is conducted or left in an unfinished state during the period from October 15 through April 15.

Policy 9: Techniques for Minimizing Sedimentation. Appropriate control measures (such as sediment basins, terracing, hydro-mulching, etc.) shall be used to minimize erosion and sedimentation.

Staff comments: The project is consistent with this policy because, as conditioned, the applicant shall apply Best Management Practices in the selection and implementation of site maintenance.

Visual and Scenic Resources

Policy 1: Protection of Visual and Scenic Resources. Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved protected, and in visually degraded areas restored where feasible.

Staff comments: The project complies with this standard. The site supports a prominent row of Cypress trees fronting the site along Lucerne Drive. Staff was concerned with the potential structural impact of the bathroom foundation to the tree roots. The applicant has agreed to redesign the foundation system to minimize impacts to the root zone. The alternative foundation design eliminates deep continuous footings around the perimeter of the addition, and replaces them with a drilled pier at each corner of the structure, connected by shallow grade beams 12 inches below grade. This alternate footing depth is the minimum allowed by the California Building Code (MSD Professional Engineering, Inc., May 6, 2014). No cypress trees are removed as part of this project.

Regarding the scenic vista or coastal view, depending on the view angle from Lucerne Road (closest to the property), existing ocean views between the eastern end of the residence and the eastern property line are partially obscured by the residence on the adjacent parcel, the cypress trees and storage sheds. The proposed 42 square-foot living area addition would not be visible from any public road. The visual assessment concluded that quality ocean views between the existing residence and the easternmost cypress tree are already somewhat compromised and the bathroom addition would occur in this area of limited views. The applicant will be incorporating the visual assessment recommendations to reduce the secondary effects of the shed relocation by painting them to match the residence, aligning the sheds one directly behind the other to reduce the linear mass, and locate them west of the easternmost cypress tree and as close to the bathroom addition as possible. In addition, the most character defining features of the property, the existing water tank and the cypress trees, would not be affected by the project (Lewis Visual Assessment, Robert G. Carr with SWCA Environmental Consulting, August 2014).

Policy 2: Site Selection for new development. Permitted development shall be sited to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. In particular, new development should utilize slope created "pockets" to shield development and minimize visual intrusion.

Staff comments: The project complies with this standard because the project does not significantly affect the visual quality as seen from major public corridors due to the scale of the additions and the viewing distances from public roads, including Highway 1. The proposed additions do not exceed the 20-foot height limitation and no Cypress trees fronting the site will be removed. The additions will be constructed to match the existing residence and neighborhood scale.

As seen from Lucerne Road, the bathroom addition will add 13.5 feet to the width of the existing 79 foot wide residence. The bathroom will increase the linear mass at the site (including the historic water tower from 40 percent to 45). The parcel will retain 55 percent of the site open as seen from Lucerne Road. The proposed bathroom will have less of a visual impact from North Ocean Avenue due to the higher roadway elevation, which is approximately 10 feet above Lucerne Road. Because of the raised vantage point, viewers enjoy a more significant coastal view shed. The potential effect on the scenic vista would be proportionally reduced compared to the view from Lucerne Road. The Highway 1 viewing elevation is approximately 40 feet above the project site, which allows more expansive coastal views above and beyond the residence. The bathroom would not block or reduce visibility of scenic vistas as seen from Highway 1, which runs approximately 250 feet from the project site. The visual assessment concluded that the additional 13.5 feet of building along the street frontage will still allow substantial coastal views and continue to provide viewers with the coastal experience and character of the area. (Lewis Visual Assessment, Robert G. Carr with SWCA Environmental Consulting, August 2014). The living space addition is located at the rear of the residence with no impairment of coastal views as seen from the public roads.

Policy 5: Landform Alterations. Grading, earthmoving, major vegetation removal and other landform alterations within public view corridors are to be minimized. Where feasible, contours of the finished surface are to blend with adjacent natural terrain to achieve a consistent grade and natural appearance.

Staff comments: This project complies with this standard. The proposed additions will be constructed to match the existing residence in height and finished floor level. No additional grading is needed for the additions and the surrounding terrain or landscaping will be consistent with the existing residence.

Policy 7: Preservation of Trees and Native Vegetation. The location and design of new development shall minimize the need for tree removal. When trees must be removed to accommodate new development or because they are determined to be a safety hazard, the site is to be replanted with similar species or other species, which are reflective of the community character.

Staff comments: The project is consistent with this policy because there is no tree removal and the trees will be protected during construction as part of the conditions of approval.

Policy 11: Development on Coastal Bluffs. New development on bluff tops shall be designed and sited to minimize visual intrusion on adjacent sandy beaches.

Staff comments: The project complies with this standard because the minor additions will not impact on views from the nearby sandy beaches and Estero Bluffs State Park due to the subject parcel's high elevation and steep bluff face. (Lewis Visual Assessment, Robert G. Carr with SWCA Environmental Consulting, August 2014).

Hazards

Policy 1: New Development. All new development proposed within areas subject to natural hazards from geologic or flood conditions (including beach erosion) shall be located and designed to minimize risks to human life and property. Along the shoreline new development shall be designed so that shoreline protective devices (such as seawalls, cliff retaining walls, revetments, breakwaters, groins) that would substantially alter landforms or natural shoreline processes, will not be needed for the life of the structure.

Staff comments: The project complies with this standard, because it is located and designed to minimize risks to human life and property, including evaluation of coastal bluff erosion.

Policy 2: Erosion and Geologic Stability. New development shall ensure structural stability while not creating or contributing to erosion or geological instability.

Staff comments: The project complies with this standard because the structures are required to be designed to ensure structural stability while not creating or contributing to erosion of geological instability. The County geologist, Brian Papurello reviewed the submitted geological reports (Geo Solutions August 14, 2009 and January 15, 2010) and finds the conclusions and recommendations appropriate for the project site and development.

Policy 6: Bluff Setbacks. New development or expansion of existing uses on bluff tops shall be designed and set back adequately to assure stability and structural integrity and to withstand bluff erosion and wave action for a period of 75 years without construction of shoreline protection structures which would require substantial alterations to the natural landforms along bluffs and cliffs. A site stability evaluation report shall be prepared and submitted by a certified engineering geologist based upon an on-site evaluation that indicates that the bluff setback is adequate to allow for bluff erosion over the 75 year period. Specific standards for the content of geologic reports are contained in the Coastal Zone Land Use Ordinance.

Staff comments: The project complies with this standard. For a previously proposed development on the subject site, a geological report was prepared for the project (Geo Solutions August 14, 2009 and January 15, 2010). The geologic report determined the bluff setbacks to be 40 feet (on the western side) and 30 feet (on the eastern side). The County geologist, Brian Papurello reviewed the submitted geological reports and finds the proposed bathroom addition is in

conformance with the approved coastal bluff setback as depicted in the report dated January 15, 2010 (Brian Papurello, Landset Engineers, Inc., May 30, 2014). The living space addition is located outside the bluff setback.

Archeology

Policy 1: Protection of Archaeological Resources. The county shall provide for the protection of both known and potential archaeological resources. All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of a development proposal to avoid development on important archaeological sites. Where these measures are not feasible and development will adversely affect identified archeological or paleontological resources, adequate mitigation shall be required.

Staff comment: The project complies with this standard because even though the water tank is considered to be culturally significant (Cultural and Historic Resources Report, Cogstone, March 2010), the proposed additions are located on the opposite end of the residence, away from the historical water tank. No work is proposed to the historic water tank as part of this project.

COMMUNITY ADVISORY GROUP COMMENTS:

Cayucos Citizens Advisory Council (CCAC)- The original project (bathroom addition only) was referred to the Cayucos Citizen Advisory Council and the committee supported the project on May 8, 2014. The revised project (bathroom and living space addition) will be presented to the Council on December 3, 2014. Staff will update the Planning Department Hearing Officer at the hearing if the advisory council has any concerns.

AGENCY REVIEW:

Public Works – No concerns.

Building Department – per referral comments dated April 4, 2014

- 1. All plans and engineering shall be prepared by a California Licensed Architect of Record unless exempted by the Business and Professions Code.*
- 2. The project is subject to a construction permit as well as the newly adopted 2013 California Codes.*
- 3. The project may require a full soils report for the design of all building foundations at the time of construction permit application submittal.*
- 4. The project is subject to the California State Title 24 energy laws.*
- 5. Whether or not a grading permit is required, the project shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.*

6. A fire sprinkler system will be required only if the existing dwelling is already fire sprinklered.

Staff comments: These conditions will be implemented through the building permit process.

California Coastal Commission – *Per referral comments dated April 17, 2014.*

- 1. The proposed (bathroom) addition may have visual resource impacts on ocean views from Highway 1 and Lucerne Drive, similar to the previously proposed development on the subject parcel.*
- 2. It does appear from the new project referral that the (bathroom) addition is in the same general area as where accessory sheds are located, thus minimizing impacts to what is existing. However, it is unclear if the sheds located today where the new addition will be, will be removed or relocated to the east?*
- 3. It is also unclear if any trees (including their root systems) will be affected by the proposed (bathroom) addition.*

Staff comments: As discussed in the staff report, the proposed bathroom will not significantly impact views to and along the ocean as seen from Highway 1 or Lucerne Drive. The existing sheds will be moved to the east and will have minimal impact on the coastal views as seen from public vantage points. The applicant has proposed a foundation system that will minimize impacts to the root zones of the existing trees.

Paso Robles Beach Water Association – *No response*

Cayucos Sanitary District – *No concerns.*

Cayucos Fire – *Check fire sprinkler requirements with the County (November 25, 2013).*

LEGAL LOT STATUS:

The existing lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Schani Siong and reviewed by Bill Robeson and Airlin Singewald.